



**PLANNING COMMISSION
MINUTES**

December 11, 2018

The Planning Commission convened in a regular meeting on December 11, 2018 @ 301 W. 2nd Street, Austin, TX 78701.

Chair Shieh called the Commission Meeting to order at 6:08 p.m.

Commission Members in Attendance:

**Greg Anderson
Angela De Hoyos Hart
Fayez Kazi – Vice-Chair
Karen McGraw
Robert Schneider
James Schissler
Patricia Seeger
Todd Shaw
James Shieh - Chair
Jeffrey Thompson
Tracy Witte**

William Burkhardt – Ex- Officio

Absent:

**Yvette Flores
Conor Kenny**

**Ann Teich – Ex-Officio
Robert Mendoza – Ex-Officio**

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Commission may not conduct a closed meeting without the approval of the city attorney.

Private Consultation with Attorney – Section 551.071

A. CITIZEN COMMUNICATION

The first four (4) speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding **items not posted on the agenda.**

B. APPROVAL OF MINUTES

1. Approval of minutes from November 27, 2018.

Motion to approve the minutes from November 27, 2018 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

C. PUBLIC HEARINGS

1. Plan Amendment: [NPA-2016-0014.01 - 4500 Nuckols Crossing Road; District 2](#)

Location: 4500 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
Owner/Applicant: Angelos Angelou and John Sasaridis
Agent: Thrower Design (Ron Thrower)
Request: Single Family to Multifamily land use
Staff Rec.: **Indefinite Postponement request by Staff**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for Indefinite Postponement of this item was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

2. Rezoning: [C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning; District 2](#)

Location: 4500 Nuckols Crossing Road, Williamson Creek Watershed; Southeast Combined (Franklin Park) NP Area
Owner/Applicant: Angelos Angelou and John Sasaridis
Agent: Thrower Design (Ron Thrower)
Request: SF-2-NP to MF-3-CO-NP
Staff Rec.: **Indefinite Postponement request by Staff**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Staff's request for Indefinite Postponement of this item was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

3. Plan Amendment: [NPA-2018-0021.01 - 5101 East Oltorf; District 3](#)

Location: 5101 East Oltorf Street, Country Club West Watershed; East Riverside/Oltorf Combined NP Area
Owner/Applicant: Charitable Holdings, II (Michael Nellis)
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: Commercial to Mixed Use land use
Staff Rec.: **Pending; Request for Postponement by Staff to January 22, 2019**
Staff: [Kathleen Fox](#), 512-974-7877
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 22, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

4. Rezoning: [C14-2018-0080 - 5101 East Oltorf; District 3](#)

Location: 5101 East Oltorf Street, Country Club West Watershed; East Riverside/Oltorf Combined NP Area
Owner/Applicant: Charitable Holdings, II (Michael Nellis)
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: GR-CO-NP to CS-MU-CO-NP
Staff Rec.: **Pending; Request for Postponement by Staff to January 22, 2019**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 22, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

5. Plan Amendment: [NPA-2017-0016.03 - 3232 & 3306 E. Cesar Chavez Street; District 3](#)

Location: 3232 & 3306 E. Cesar Chavez Street, Colorado River Watershed; Govalle / Johnston Terrace Combined NP Area
Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust
Agent: Husch Blackwell, LLP (Stacey L. Milazzo)
Request: Commercial to Mixed Use land use
Staff Rec.: **Pending; Postponement by Staff to January 22, 2019**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 22, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

6. Rezoning: [C14-2017-0138 - 3232 & 3306 E. Cesar Chavez Street; District 3](#)

Location: 3232 & 3306 E. Cesar Chavez Street, Colorado River Watershed; Govalle / Johnston Terrace Combined NP Area
Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust
Agent: Husch Blackwell, LLP (Stacey L. Milazzo)
Request: GR-CO-NP and CS-CO-NP to MF-6-CO-NP and CS-MU-CO-NP
Staff Rec.: **Pending; Postponement by Staff to January 22, 2019**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 22, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

7. Plan Amendment: [NPA-2018-0016.03 - 1103 Cherico Street; District 3](#)

Location: 1103 Cherico Street, Boggy Creek Watershed; Govalle / Johnston Terrace Combined NP Area
Owner/Applicant: Austin Land Development, LLC
Agent: Permit Partners, LLC (David Cancialosi)
Request: Single Family to Higher Density Single Family land use
Staff Rec.: **Pending; Postponement by Staff to January 22, 2019**
Staff: [Maureen Meredith](#), 512-974-2695
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 22, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

8. Rezoning: [C14-2018-0093 - 1103 Cherico Sreet; District 3](#)

Location: 1103 Cherico Street, Boggy Creek Watershed; Govalle / Johnston Terrace Combined NP Area
Owner/Applicant: Austin Land Development, LLC
Agent: Permit Partners, LLC (David Cancialosi)
Request: SF-3-NP to SF-5-NP
Staff Rec.: **Pending; Postponement by Staff to January 22, 2019**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 22, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

9. Rezoning: [C14-2018-0001 - Metric and 183; District 4](#)

Location: 8965 Research Boulevard Northbound, 9000 Metric Boulevard, 9100 Metric Boulevard, Little Walnut Creek Watershed; North Burnet/Gateway NP Area
Owner/Applicant: Goodwill Industries of Central Texas (Mark Hiemstra)
Agent: Drenner Group, PC (Amanda Swor)
Request: NBG-CI-NP to NBG-CMU-NP
Staff Rec.: **Pending; Postponement by Staff to January 8, 2019**
Staff: [Sherrri Sirwaitis](#), 512-974-3057
Planning and Zoning Department

Motion to grant Staff's request for postponement of this item to January 8, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

10. Rezoning: [C14-2018-0115 - Sigma Chi Fraternity; District 9](#)

Location: 2701 Nueces Street, Waller Creek Watershed; West University NP Area
Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch)
Agent: Thrower Design (Victoria Haase)
Request: From MF-4-CO-NP to MF-6-CO-NP
Staff Rec.: **Recommendation of MF-6-NP**
Staff: [Scott Grantham](#), 512-974-3574
Planning and Zoning Department

Motion to grant Applicant's request for postponement of this item to January 8, 2019 was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

11. Zoning: [C814-2012-0152.02 - Pilot Knob PUD - 2nd Amendment; District 2](#)

Location: 7612, 7725, 7901, and 8100-½ Colton Bluff Springs Road; 7600, 7604, 7608, 7612, 7700, 7704, and 7708 Hillock Terrace; 8321 Thaxton Road; 8100 Sassman Road, Cottonmouth Creek, Marble Creek, North Fork Dry Creek, South Fork Dry Creek Watersheds; Pilot Knob MUD
Owner/Applicant: Taylor Morrison of Texas, Inc., Pacesetter Homes, LLC; CND-Easton Park, LLC and Carma Easton, LLC
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: Unzoned to PUD, to add 7 tracts of land totaling 165.902 acres to the Pilot Knob PUD
Staff Rec.: **Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Motion to grant Staff's recommendation of PUD, district zoning, to add 7 tracts of land totaling 165.902 acres to the Pilot Knob PUD for C814-2012-0152.02 - Pilot Knob PUD - 2nd Amendment located at 7612, 7725, 7901, and 8100-½ Colton Bluff Springs Road; 7600, 7604, 7608, 7612, 7700,

7704, and 7708 Hillock Terrace; 8321 Thaxton Road; 8100 Sassman Road, was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

12. Municipal Utility [C12M-2018-0004 - Lazy Nine MUD 1A](#)

District:

Location: Located in western Travis County south of State Highway 71 West, west of the City of Bee Cave, Lake Travis and Little Barton Creek Watersheds

Owner/Applicant: A3 Texas Holdem LLC (Brett Ames)

Agent: BGE, Inc. (Seth Mearig)

Request: City consent to the annexation of approximately 124 acres into the Lazy Nine MUD 1A

Staff Rec.: **Recommended**

Staff: [Virginia Collier](#), 512-974-2022
Planning and Zoning Department

Motion to grant Staff's recommendation for C12M-2018-0004 - Lazy Nine MUD 1A located in western Travis County south of State Highway 71 West, west of the City of Bee Cave was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

13. Subdivision: [C8-2018-0108 - Mount Moriah; District 1](#)

Location: 4907 Springdale Rd., Fort Branch Watershed; Pecan Springs - Springdale NP Area

Owner/Applicant: Greater Mount Moriah Primitive Baptist Church

Agent: LJA Engineering, Inc. (Danny Miller, P.E.)

Request: Approval the preliminary plan composed of five lots on 6.378 acres.

Staff Rec.: **Recommended**

Staff: [Cesar Zavala](#), 512-974-3404,
Development Services Department

Motion by Commissioner De Hoyos Hart seconded by Commissioner Anderson to deny the request by the neighborhood for postponement was approved on a vote of 9-2. Commissioners Thompson and Shaw voted nay. Commissioners Flores and Kenny absent.

Public hearing conducted and closed.

Motion by Commissioner Seeger, seconded by Commissioner Anderson to grant staff recommendation for C8-2018-0108 - Mount Moriah located at 4907 Springdale Rd. was approved on a vote of 9-1. Commissioner Shaw voted nay. Chair Shieh off the dais. Commissioners Flores and Kenny absent.

- 14. Resubdivision with a variance:** [C8-2018-0046.0A - Resubdivision of Lot 1 and Lot 2, Block F, Northgate Addition; District 7](#)
 Location: 1101 Stobaugh St., Boggy Creek Watershed; Crestview NP Area
 Owner/Applicant: Joidemar Souza and Marta Souza
 Agent: SCE Solutions (Marco Castaneda, P.E.)
 Request: Approve the resubdivision of two lots into a five lot subdivision on 1.002 acres with a variance request from L.D.C. 25-4-175 to allow a flag lot configuration.
 Staff Rec.: **Recommended**
 Staff: Cesar Zavala, 512-974-3404, cesar.zavala@austintexas.gov
 Planning and Zoning Department

Motion to grant Staff’s recommendation for C8-2018-0046.0A - Resubdivision of Lot 1 and Lot 2, Block F, Northgate Addition located at 1101 Stobaugh St. was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

- 15. Alley Vacation:** [F#10048-1810 - Alley Vacation \(689 SF PORTION\) West 17th Street](#)
 Location: Between W. 17th Street and W. 18th Street, and Guadalupe Street and San Antonio Street
 Owner/Applicant: Stephen McNally
 Agent: Armbrust & Brown, PLLC (Michael Whellan)
 Request: Vacation of 689 square foot portion out of a 20-ft wide tract of land, known as the alley right-of-way between W. 17th Street and W. 18th Street and extending from Guadalupe Street to San Antonio Street
 Staff Rec.: **Recommended with conditions**
 Staff: Kim Vasquez, 512-974-9241
 Office of Real Estate Services

Motion to grant Staff’s recommendation for vacation of 689 square foot portion out of a 20-ft wide tract of land, known as the alley right-of-way between W. 17th Street and W. 18th Street and extending from Guadalupe Street to San Antonio Street was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

16. Alley Vacation: [F#10049-1810 - Alley Vacation \(4,857 SF PORTION\) West 17th Street](#)

Location: Between W. 17th Street and W. 18th Street, and Guadalupe Street and San Antonio Street
Owner/Applicant: Travis Hotel Group LLC
Agent: Armbrust & Brown, PLLC (Michael Whellan)
Request: Vacation of 4,857 SF portion out of a 20-ft wide tract of land, known as the alley right-of-way between W. 17th Street and W. 18th Street and extending from Guadalupe St. to San Antonio St.
Staff Rec.: **Recommended with conditions**
Staff: Kim Vasquez, 512-974-9241
Office of Real Estate Services

Motion to grant Staff's recommendation for vacation of 4,857 SF portion out of a 20-ft wide tract of land, known as the alley right-of-way between W. 17th Street and W. 18th Street and extending from Guadalupe St. to San Antonio St. was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

17. Final Plat - Resubdivision: [C8-2018-0210.0A - 600 Kemp Street; District 3](#)

Location: 600 Kemp Street, Country Club East Watershed; Montopolis NP Area
Owner/Applicant: Home Trees LLC
Agent: Jones Carter (David Peek)
Request: Approval of 600 Kemp Street composed of 10 lots on 5.36 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Motion to disapprove C8-2018-0210.0A - 600 Kemp Street located at 600 Kemp Street was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 10-0. Commissioner Schissler recused on this item due to a conflict of interest (*rendered professional services*). Commissioners Flores and Kenny absent.

18. Final Plat - Resubdivision: [C8-2018-0211.0A - Cherico Subdivision; District 3](#)

Location: 3409 Neal Street, Boggy Creek Watershed; Govalle NP Area
Owner/Applicant: Kerensa Una
Agent: Permit Partners, LLC (Jennifer Hanlen)
Request: Approval of Cherico Subdivision composed of 2 lots on 0.4421 acres
Staff Rec.: **Disapproval**
Staff: Development Services Department

Motion to disapprove C8-2018-0211.0A - Cherico Subdivision located at 3409 Neal Street was approved on the consent agenda by Commissioner McGraw, seconded by Vice-Chair Kazi on a vote of 11-0. Commissioners Flores and Kenny absent.

D. NEW BUSINESS

1. **Initiation of Code Amendment Related to Definition of Mirrored Glass.**

Discuss and consider the initiation of an amendment to Title 25 of the Land Development Code regarding the definition of mirrored glass. Staff: [Mark Walters](#), 512-974-7695, Planning and Zoning Department

Motion by Commissioner Anderson, seconded by Commissioner Schissler to initiate an amendment to Title 25 of the Land Development Code regarding the definition of mirrored glass was approved on a vote of 10-0. Chair Shieh off the dais. Commissioners Flores and Kenny absent.

(Item D-02 posted on an Addendum)

2. **Rescind Previous Actions Related to 1605 Gaston Avenue**

Discuss and consider rescinding a previous action to grant SF-3-H-NP combining district zoning for C14H-2018-0103 - Philip D. Creer House located at 1605 Gaston Avenue.

Motion by Vice-Chair Kazi, seconded by Commissioner Thompson to rescind previous action to grant SF-3-H-NP combining district zoning for C14H-2018-0103 - Philip D. Creer House located at 1605 Gaston Avenue was approved on a vote of 9-2. Commissioner McGraw and De Hoyos Hart voted nay. Commissioner Flores and Kenny absent.

E. BRIEFINGS

1. **Briefing Regarding Future of Small Area Planning**

Briefing and discussion regarding Small Area Planning
Staff: [Matt Dugan](#), 512-974-7665, Planning and Zoning Department

Briefing conducted by Matt Dugan, Planning and Zoning Department.

2. **Briefing Regarding the University Neighborhood Overlay District**

Briefing and discussion regarding the University Neighborhood Overlay District
Staff: [Mark Walters](#), 512-974-7695, Planning and Zoning Department

Briefing conducted by Mark Walters, Planning and Zoning Department.

F. ITEMS FROM COMMISSION

1. Revision of the Austin Land Development Code

Discussion regarding matters related to the revision of the City of Austin Land Development Code including but not limited to staff updates, presentations and scheduling. Co-Sponsors: Chair Shieh, Vice-Chair Kazi

No discussion on this item.

G. FUTURE AGENDA ITEMS

Future agenda items will not be discussed at the current meeting, but will be offered for initiation, discussion or possible recommendation at a future meeting.

H. COMMITTEES & WORKING GROUPS UPDATES

[Codes and Ordinances Joint Committee](#)

(Vice-Chair Kazi and Commissioners McGraw, Schissler, and Seeger)

No report provided.

[Comprehensive Plan Joint Committee](#)

(Commissioners Flores, Kenny, Schissler and Shaw)

No report provided.

[Joint Sustainability Committee](#)

(Chair Shieh and Commissioner Seeger)

Commissioner Seeger stated the Committee received a briefing by Cap Metro regarding Project Connect.

[Small Area Planning Joint Committee](#)

(Chair Shieh and Commissioners Anderson and Thompson)

No report provided.

Operating Model Working Group

(Chair Shieh, and Commissioners De Hoyos Hart, McGraw and Seeger)

Commissioner De Hoyos Hart stated she will discuss next steps with Chair Shieh.

Transportation Working Group

(Chair Shieh and Commissioners Kenny, Schissler and Thompson)

No report provided.

ADJOURNMENT

Vice-Chair Kazi adjourned the meeting without objection on Tuesday, December 11, 2018 at 8:30 p.m.

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Jerry Rusthoven at Planning & Zoning Department, at 512-974-3207, for additional information; TTY users route through Relay Texas at 711.